

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 17 are currently being amended.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-31 are now pending in this application.

The Examiner has rejected claims 1-17 as anticipated by Smith (6,333,973). Claim 1 has been amended to distinguish Smith by stating that the complete message is received through a second communication *network*, which is distinct from the first communication *network* through which the message notification is received.

Smith teaches a method of complete message delivery to a telecommunications device over a single communications network, such as a Global System for Mobile Communication (GSM) network (Fig. 1 (1800); col. 4, lines 1-7). Smith further teaches a means of receiving a notification message through a first communication *channel*, such as the GSM signaling channel (col. 7, lines 15-24) and receiving the complete message over a second communication *channel*, such as the GSM B-channel (col. 10, lines 18-25). However, Smith does not teach a method of receiving notification and complete messages over distinct first and second communication *networks*. As amended, the present application claims a method for receiving the notification and complete messages through distinct first and second communication *networks* as opposed to distinct first and second communication *channels* within a single communication network as taught by Smith.

It is commonly known within the art that *channel* is a physical or logical division of a frequency band within a communication network such as a traffic channel within the 900 MHz band of a GSM communication network (*see, e.g.*, GSM Technical Specification 05.01 Digital Cellular Telecommunications System (Phase 2+); Physical Layer on the Radio Path; General Description, ETSI, *available at* <http://webapp.etsi.org/exchangefolder/gsm/0501v050400p.pdf>).

On the other hand, *network* is commonly employed within the art as a general descriptor of a system that transports voice and/or data information among devices and/or other networks. A distinct network can be based on any of a variety of well known forms and methods of transporting information. Furthermore, a network may be comprised of numerous channels.

As amended, the present invention claims a method of receiving a notification message through a first communication network, connecting to a second communication network, and downloading the complete message through the second communication network. Thus, claim 1 is patentable over Smith.

The Examiner has rejected claims 17-23 as anticipated by Bertacchi. Bertacchi discloses a system for complete message delivery to a communication device comprising: a first communication network or area and a second communication network or area; a communication device adaptable to communicate over the first and second communication networks (Fig. 1, 10; col. 4, lines 16-40); and a message control module configured to receive a complete message addressed to the communication device (Fig. 1, 22). However, Bertacchi teaches a method of merely forwarding the *complete* message to the communication device (col. 7, line 62 – col. 8, line 16; Fig. 3, 66). The present invention claims a system where the message control module *notifies* the communication device of receipt of the complete message prior to delivering the complete message.

Furthermore, Bertacchi teaches a method of forwarding the complete message to the communication device *without a request* from the communication device (col. 7, line 62 – col. 8

line 16; Figs. 3-5). Bertacchi also teaches retaining the complete message in the event that delivery to the communication device fails, and subsequently delivering the message, once the communication device is active (registers) in the network (Fig. 3, 50; col. 1, lines 23-41). Bertacchi further teaches that the message center contacts a home location register associated with the mobile station to request the current location of the mobile station (col. 4, lines 16-26).

The present invention claims a system where the message control module delivers the complete message to the communication device *upon request*. Furthermore, a registration signal sent by the communication device to the mobile station controller to become active on the network cannot be characterized as a request by the communication device directed at the message center to deliver a complete message to the communication device. Likewise, a request by the message center directed to the home location register to obtain the current location of the communication device cannot be characterized as a request to deliver the complete message to the communication device.

The advantageous features claimed in the present invention of *notifying* the communication device of the complete message and providing the complete message to the communication device *upon request* distinguish the present invention from Bertacchi. Thus, claims 17-23 are patentable over Bertacchi.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

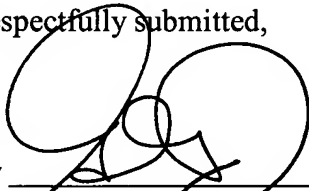
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

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Respectfully submitted,



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